

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (GBD) (FM)  
ECF Case

*This document relates to:*

*Federal Insurance Co., et al. v. Al Qaida, et al., Case No. 03 Civ. 6978*

**DECLARATION OF STEPHEN A. COZEN**

I, Stephen A. Cozen, Esquire, declare under penalty of perjury, as provided for by 28 U.S.C. § 1746, that the following statements are true and correct:

1. My name is Stephen A. Cozen and I have been a practicing attorney in the Commonwealth of Pennsylvania since 1964. I am the founder and chairman of the law firm of Cozen O'Connor, a Philadelphia-based law firm with 23 offices throughout the United States, the United Kingdom and Canada, including offices located at 45 Broadway Atrium, New York, NY 10006 and 277 Park Avenue, New York, NY 10172. Consistent with the Court's April 24, 2014 Order (ECF No. 1852), I make this Declaration in support of Plaintiffs' Counsel's Application for Attorneys' Fees and Expenses (ECF Nos. 2829-2831, 2841-2842), relative to the October 28, 2013 Memorandum Decision and Report and Recommendation of this Court awarding plaintiffs' attorneys' fees and costs as a result of defendants Al Haramain Islamic Foundation's and Wa'el Jelaidan's non-compliance with the Court's discovery orders (ECF No. 2789).

2. Cozen O'Connor attorneys Sean P. Carter, J. Scott Tarbutton, and Adam Bonin represent, or previously represented, plaintiffs in this litigation.

3. Sean P. Carter is a shareholder in Cozen O'Connor's Philadelphia office, where he

practices in the Subrogation and Recovery Department. In 2004, the Honorable Richard Conway Casey of the U.S. District Court for the Southern District of New York appointed Mr. Carter to serve as a Co-Chair of the Plaintiffs' Executive Committee in the multi-district litigation proceeding *In Re: Terrorist Attacks on September 11, 2001*. As a Co-Chair of the Plaintiffs' Executive Committee for the September 11<sup>th</sup> MDL, Mr. Carter has had a primary role in prosecuting the claims in the litigation on behalf of all plaintiffs, and handling multiple appeals arising out of the litigation to the U.S. Court of Appeals for the Second Circuit and the U.S. Supreme Court. He graduated from the College of William and Mary in 1993 and from the Villanova University School of Law in 1996, where he was a member of the Law Review. Mr. Carter concentrates his practice in commercial and mass tort litigation and appellate practice, with a particular focus on cases involving claims under the Foreign Sovereign Immunities Act and Anti-Terrorism Act. Mr. Carter is licensed to practice in Pennsylvania and New Jersey and is admitted to practice before the U.S. Supreme Court, U.S. Court of Appeals for the Second Circuit, U.S. Court of Appeals for the Seventh Circuit, and U.S. District Court for the Eastern District of Pennsylvania.

4. J. Scott Tarbutton is a member in Cozen O'Connor's Philadelphia office, where he practices in the Subrogation and Recovery Department. Mr. Tarbutton is the designated liaison counsel and member of the Plaintiffs' Executive Committee for the Commercial Claims in the September 11<sup>th</sup> MDL. He graduated from Fordham University in 1993 and received his law degree from the Catholic University Columbus School of Law in 2001, where he was a member of the Law Review. Mr. Tarbutton focuses his practice on complex litigation and insurance disputes, is licensed to practice law in Pennsylvania, and is admitted to practice before the U.S. District Court for the Eastern District of Pennsylvania.

5. Adam Bonin was a member in Cozen O'Connor's Philadelphia office, where he practiced in the Subrogation and Recovery Department. Since January 2012, Mr. Bonin has practiced as his own law firm. Mr. Bonin is a 1997 graduate of the University of Chicago Law School, whose practice has focused on subrogation, commercial, products liability, antitrust, municipal; finance, and first amendment litigation. Mr. Bonin is licensed to practice in Pennsylvania and is admitted to practice before the U.S. Supreme Court.

6. Plaintiffs' Application for Attorneys' Fees and Expenses requests attorneys' fees calculated based on the following hourly rates:

- (a) Sean P. Carter: \$750 per hour;
- (b) J. Scott Tarbutton: \$600 per hour; and
- (c) Adam Bonin: \$500 per hour.

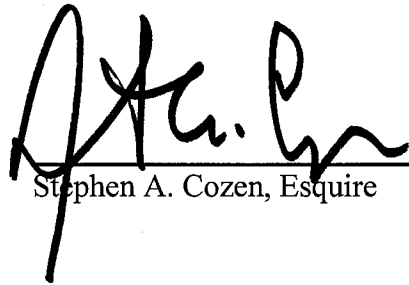
7. The hourly rates for the Cozen O'Connor attorneys identified above are consistent with the rates charged by attorneys with comparable experience and expertise in the New York area, particularly for cases of similar complexity and scale.

8. The hourly rates for the Cozen O'Connor attorneys identified above are also consistent with the rates set forth in the Laffey Matrix. *See* Plaintiffs' Reply Memorandum of Law in Further Support of Plaintiffs' Application for Attorneys' Fees and Expenses Pursuant to Report and Recommendation of October 28, 2013 (ECF No. 2841), pp. 4-5.

9. The hourly rates for the Cozen O'Connor attorneys identified above are reasonable, as based on my personal knowledge of rates charged by other firms with attorneys of comparable experience and expertise, negotiations with clients, and discussions with other attorneys.

10. I certify that all of the foregoing statements made by me are true, and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Executed on May 15, 2014.



Stephen A. Cozen, Esquire